THE TRIUMPH OF SLAVERY COMPLETE. Correspondence of The N. Y. Tricune.

WASHINGTON, March 5, 1857. The Union of to-day contains two poorly written articles, whose gentle platitudes and by-your-leave air do cle wiy intimate the character of the new President and his new organ. But if Mr. Buchanan is not clear and hereible in style we must admit that the doctrines of the Inaugural are sufficently pointed and distinct. Of these we come at once to the expression of a firm co., viction, blunt as it may seem, that this Union is not worth saving nor this Government worth preserving, n, on the basis of the decirine of the Iraugural, backed by the coming decision of the Supreme Court, to which the President, by intimation, clearly points. This doctrine is, that Slavery must be allowed a co-terminous existence with all our existing territory not under State government, and its extension must be allowed to keep pace hereafter with the extension of our future territorial limits. In other words, and in brief, no restriction must be placed upon Slavery outside of the Free States, and Congress must be prehibited by Judicial decision, from im-posing any such restriction. Thus establishing the motto of the Federal Government to be, "No Free-tidem outside of the Free States."

'dom outside of the Free States.' Perhaps we ought to be grateful to Mr. Buchanan for placing himself, so distinctly as he has placed himself, upon this clear ground. The world can see it, and can understand it. Such of the American people as choose to see, can see just what position the Euleral Government. sition the Federal Government, under Mr. Bucharan's Administration, takes on this question, and they will soon see that the Federal Judiciary supports it by a decision which declares unconsti-

dional any adverse position. We need not, however, thank Mr. Buchanan, for he has been driven upon his position by the force of events, and the deep-laid, slowly matured, and al-ways consistent and far-reaching policy of the Oli-garchs; for whom the Free-State men of the Union. with here and there a rare exception, have never shown themselves to be any match. This policy of planting the Federal Government on the side of an open, undisguised, entire devotion to the interests of Slavecy, and demanding conformity thereto of all participants in its administration, has been gradually participants in its administration, has been gradually forcing its way through reeds and bullrushes, through fogs and murky darkness, its existence doubted and denied wherever partisan interest required the denisl, until, at last, this policy bursts upon the country, and upon the world, in the Inaugural of Mr. Bochanan and in the coming decision of the Supreme Court upon the right of Congress to restrict Slavery in the Territories, with a distinctness and charness as impressive and alarming as it is vivid. It is the closing in of an Arctic night in our history. It is the swinging to of the iron door of a history. It is the swinging to of the iron door of a political Bastille upon the principles and the aims of the founders of this Government. But that night

will end; that door will be opened.

We said, when the Kansas-Nebraska bill passed,

The revolution is accomplished, and Slavery is

king. We point to Mr. Buchanan's Inaugural, and the coming decision of the Supreme Court, as the emphatic coronation of that power. The lesson of to-day is, that triumph must be triumphed over, that crown must be torn from that brow. But it will take semething beside sentimental Ab ism, something beyond the scope of party discretions, looking primarily to the preservation of the Union, to do it. What that something is cannot be spoken into form by the words of a single man. Its essence is the spirit of determined resistance to

political usurpation.

Let it be everywhere understood that the oligarchs have at length fully emerged from all obscurity as to their polity and designs, and now stand for h before the world in the person of Mr. Bucharan and in the decision of the Supreme Court, proclaiming that hereafter the fundamental rule of the Federal Government shall be, "No Freedom

outside the Free States."
There is thus nothing left for the people of the Free States but to confront and break down this insulting domination over their rights and their interests, or inglor-ously succumb to their con-querors in imbecile pusillanimity. The only ques-tion left for the censideration of those who do not intend to recognize the legitimacy of this revolution in the administration of the Federal Constitution is, what is the true mode of resisting it? In what way shall the Free States extricate themselves from this conquest over them? How shall they throw off the foisted infamy of a Union and Government forcibly converted to the uses of human slavery, and wielded with a determined purpose of politically debanching the Northern masses, crushing the prin-ciples and the instincts of Freedom, and quelling all opposition to its sway? A Government too, whose original purposes in behalf of freedom have been openly subverted in order to do this, and which exhibits the spectacle of a total abrogation all the lofty and benevolent designs of it

A greater and more serious question was never propounded in the whole course of our history than this. Upon its solution hang results of momen-tous imperiance. For no political calm, and no personal indifference, can lessen the magnitude of the fact that the people of the Free States have now to decide whether they will consent that the Fed-eral Government shall be made a gigantic engine for the spread and perpetuation of African Slavery all over the North American Continent, or whether they will unite together to frustrate this rainouand guilty purpose, regardless of consequences.

From Out Own Correspondent.

WASHINGTON, March 5, 1857. The long agony is over, and the new President i comforteb'y enseenced in the White House. There his troubles begin. He has seen the first of the only two happy days allotted to the official occuparts of that mansion. The other will come when he turns his back upon it as a private citizen. Even now the Cabinet is not fully organized, and Mr Buchanan has been badgered, bedeviled and parcecuted race Monday night to decide the only open points. He has not exhibited the firmness which was expected in this matter, or which his assurances justified the public in hoping. In fact, he has yielded throughout to the exactions of those who were discarded from the original councils, and abandoned not only his purpose but his selections Cobb is the only man of the cast designed by the President himself who has not been swept away by the current of factious opposition or the strength of persistent demands. been made up of odds and ends, like patchwork

and represent no definite idea but medicerity.

Mississippi—that is, the Davis men—protests
that no desire was expressed for a member from
that Scate. Brown being discarded as a candidate for Vice-President at Cinemusti, became of course very good Cabinet timber. Floyd had the indorsevery good Cabinet timber. Floyd had the indorsement of Wise, and a portion of the Electors of Virg nis. Toucey being repudiated at home, was accepted as a martyr to "nationality" by the South. Cass was forced upon the President to appease the war of North-Western factions. Not one of these men was originally designated by Mr. Buchanan, and it may be supposed, therefore, that he will not meet them with any excess of affection. Poor Glancy Jones, who was considered the King's conscience keeper and the medium of most aspirations, has been finally rejected and stranded. The place first assigned to hum is yet in doubt, but will place first assigned to him is yet in doubt, but will place first assigned to him is yet in doubt, but will be determined to-morrow, when the nominations will go to the Senate. At noon Judge Black was in the ascendant, and the old Premier was feeling the political pulse, as if Mr. Buchanan did not know the caliber of the leading men in his own State. The indecision and prograstination mani-fested in organizing the Administration are not en-couraging asymptoms for its future. cournging symptoms for its future success. They have already excited the district of its most zeal-ous fierds, and stimulated the confidence of its

opponents.

By carrying water on both shoulders, Mr. Bu chanan has aimed to satisfy all the wings of hi party, in the Inaugural, but has hardly succeeded. Before that address was delivered, a serious difference of opinion between him and Gen. Cass oc

carred in regard to the doctrine of Squatter Sovetergaty, which almost led to a rupture the night before the inauguration, and which, in fact, also before the inauguration, and which, in fact, also postponed the intended introductory of Mr. Appleton in The Union jesterday. A qualification was adopted which reneved their compunctions, but which at the same time subjected the President to a concession that augurs badly for his resolution in great emergencies. The argument in favor of acquiring territory will find practical application in Cuba, which is to be the main idea of the Administration, and may present a question before its close that will convulse the Union more seriously than any of the issues that have agitated it since the any of the issues that have agitated it since the annexation of Texas.

The judgment in the Missouri case was not ren-The judgment in the Missouri case was not ten-dered to-day, according to the arrangement pre-viously announced. A final consultation was held this morning, and the opinions will be read to-mor-row, when the court will adjourn for the present No doubt now exists as to the character of the decree. A large majority will hold that the recent decisions of the Supreme Court of Missouri. ignering those of the preceding twenty-eight years, determine the case, and that the laws of Illinois and the United States-the Compromise act-are without effect upon the status of the slave who claimed his liberty by their application. Judges McLeen, Curtis and Grier will deliver dissenting opinions, maintaining, by the records of the court and the decisions in many of the Southern States, that Scott was entitled to his freedom by the operation of the Missouri Compromise, and by the law of Illinois, having resided for years in the latter and north of the line. The expectation is entertained that this decree will satisfy the country, and Mr. Buchanan referred to it with confidence in his inaugural yesterday, founded upon a knowledge of the foreshadowed purpose. This delusion is will-ful, for, in the face of facts so recently developed. it cannot be attributed fairly to ignorance of public

Mr. Buchanan took occasion to inform some of his anxious friends that he would allow the commissions of all the principal incumbents to expire and would not responit them unless peculiar reasons were presented for making exceptions. A present purpose, however, furnishes no guarantee for future action. The rule may be observed for the time being in New-York and other cities, where many of the most important commissions expire immediately, but it will be found inconvenient if attempted to be applied generally. In the cases where commissions have a year or more to run the incumbents are satisfied to take their chances of a change of sentiment at headquarters. It is stated, too, that an Old Line Whig will be offered a Mission of the first grade, and Mr. Preston King has been named in this connection. The remnants of that party are to be apportioned among the subordi-The length of the Extra Session of the Senate

Will depend entirely upon circumstances. If Mr. Buchanan should determine to submit the Mexican treaty, with suggestions of modification, it will open up a large field of discussion, and may occupy several weeks. The Dallas treaty must be dispos of in some form, and the President will now be con-strained to show his hand on that subject. When Gen. Cass receded from his opposition at the late session he had not been offered the Department of State; but he may have been hopeful of such a probability, and therefore put himself in position to conform to a necessity—a conflict with his previ-

ously avowed convictions.

The Senate consumed the day in discuss report for reorganizing the Committees. As Mr. Toucey and Mr. Geyer have retired, who were members of the Judiciary, much interest is felt in knowing how their vacancies are to be filled. When the Republicans were excluded from all the when the Republicans were excitated riod all assignmentant Committees before, it was pretended that no such political organization was known to exist. With twenty of that stamp, constituting a third of the body, occupying seats, this convenient ignorance cannot be pleaded now.

INDEX.

## FROM HAVANA.

The United States Mail steamship Cahawba, J. D. Bulloch commander, from New Orleans via Havana, arrived on Saturday, having left the latter place on the evering of the 2d. There is nothing new stirring at Havena. The sugar cales have been heavy at firm prices; stock in market, 95,000 boxes; the shipments have been heavy from all the northern ports of the island. Exchange has declined: London, 5 a 54 prem New-York and northern cities, 57 a 6 dis. Freights to Europe have improved; to the United States, at Il good, but not rapid. The English man-of-war Eurydice arrived on the 1st-all well on board. The Cahawba encountered strong gales on her passage home.

MARRIED HER FATHER'S COACHMAN

Mr. John G. Boker is a rather prominent importer of wines and liquors, doing business at No. 93 Front street. Mr. Beker's residence is in Tarrytown, where he keeps a turn-out and a coachman. He spends the Lania Winter in the city with his son-in-law Funke, jr., at his residence, No. 135 West Twentysecond street. Mr. Boker has a daughter Mary Ann. twenty-two years old, and for a year or two past has had an Irish coachman, John Dean, with a very red face, an honest brogue and a hearty, simple mannermodest, too, for an Isishman. It must have been rather lenely in Tarrytown; they lived there only three in the family-Mr. and Mrs. Boker and Mary Ann. Naturally enough, Mary Ann liked to ride out with the coschwan, liked to take the sir- it was neceseary to her health-liked to see the country, and finally included the coachman in her lixing. On Saturday evening John came to the office of Mr. Cuaries S. Spencer, in Broadway, to get his wife. He told his

story in this wise:
"I'd been his coachman for nearly two years. In December he come to live here in the city, and I stopped in Tarrytown taking care of the horses. He stopped in Tarrytown taking care of the horses. He savettired for a conchunan two weeks force he come up, and then he discharged me because he knew that the daughter kept my company and I kept her company. He naked me if I'd resign her company, and I said not, and she said not; and he wanted me to go to California. And so when I come away I stopped here, and I addressed her a few lines, and he found it out. She arswered three or four letters, sod she got out on Wednesday, she slipped out, and we went to the Rev. Mr. Haifield's, in Thirty-fourth street, and he married a shout half-nast 12 o'clock in the daytime; then hir. Hatheld's, in Inity-touris street, and he married us about half-past 12 o'clock in the daytime; then she stipped back again right off. She thought they wouldn't know anything about it for a few days, and she'd get her clothes and we'd live together. Mr. they wouldn't know anything about it for a lew days, and she'd get her clothes and we'd live together. Mr. Funke rischarged one of the girls, he sal pected that twas she that give the letters. Mr. Boker told her (Mary Ann) that he'd shoot me. He has never said any angry words to me. He won't let her out. The day she was goin' to be married she told him she wanted to go out in company with another leay, but he wouldn't let her. She is over twenty-to. She told me that she eidn't want to be let like a dog, and when her father went to his business ahe slipped out, and she s got a right to be married. He told me once he didn't blaze me for gettin' married to her if I got a chance. I told him I didn't want his money no here. He said he'd see her dead and under the rod before she was married to me. I have been keeping her company about a year and a half. He's said everything to her to make her resign me. When I come away be said: See the arceal, hew he run away? You couldn't see his fuce go in through Tarrytown. She told me so, I understand as how he would give her anything at all if he stand as low he would give her anything at all if he could get her off from here. He was threatenin to send her to Germany to get me out of her head; but I wouldn't plaze him. She's shut up there and he won't wouldn't plaze him. She's shut up there and he won't wouldn't plaze him. send her to Germany to get he out of her head, but wouldn't plaze him. She's shut up there and he won't let her out. She ham't are anything now for those thry days. I feel had to have her a cryin' there all night and they all enjoyin' themselves. The wust of it is on account of my bein Itish; but I m as good a names he is, it he is rich."

John was assured that he wife should be restored to

him; Mr. Spencer at ones drew up a petition for a writ of tabeas corpus and before to morrow's sun the mmantic bride will doubtless be restored to her standy

OLE BULL'S CONCERT. -After an absence of many worth's Roems last Friday evening, and was welermed with an enthusiasm which must have been gratifying to his feelings. He has lost none of the brilliarcy and pecu farities of former years, and eligited the warmest plaudits of an appreciative andiencealmost every piece being encored. Old Bull was competently assisted by Miss Victoria Gider, (soprano) Sig. Geomani, (tener), Sig. Gasparon, (basso), Mc, C,

W. Morgan, (Alexandre organ), and Mr. Roth, (piece). We were glad to observe the room well filled. To morrow evening Ole Buil gives his second

THE DRED SCOTT CASE.

Slavery alone "National." JUDGMENT OF CHIEF JUSTICE TANEY

Chief-Justice Taney, in delivering the optaion of the Court said that this case, after argument at the last Term, was directed to be reargued at the present Term, owing to difference of opinion existing among members of the Court, and in order to give the subject more

mature deliberation. There were two leading questions-first: Had the Circuit Court of the United States for the District of Missouri, jurisdiction in the case? and if it had juris-

diction, was its decision erropeous or not? The defendant decied, by plea in abatement, the jurisdiction of the Circuit Court of the United States on the ground that the plaintiff "is a negro of African descent, his acceptors were of pure African blood, end were brought into this country and sold as slaves, and therefore the plaintiff ' is not a citizen of the State of Miscouri." To this plea the plaistiff demarted, and the Court sustained the demarter. Thereupon the defendant pleaded over, and justified the treepase on the ground that the plaintiff and his family were his negro slaves; and a statement of facts, agreed to by both parties, was read in evidence.

The Chief Justice having stated the facts in the case proceeded (in a tone of voice almost inaudible) to say, in ubstance, that the question first to be decided was, whether the plaintiff was entitled to sue in a Court of the United States. This was a peculiar question, and for the first time brought before the Court under such circumstances; but it had been brought here, and it was the duty of the Court to meet and to decide it. The question was simply this, can a negro, whose ancestors were imported and sold as slaves, become a member of the political community formed and brought nunities of a citizen, one of which rights is suing in the Courts of the United States in cases therein specified! In discussing this question we must not confound the rights of a citizen which a State may confer within its own limits, with the rights of a citizen which as for a citizen which as the may confer within its own limits, with the rights of a citizen my confer within its own limits, with the rights of a citizen which as the constitution; but it does not follow that man, being a citizen of one State, must be recognized as such by every State in the Union. He may be a citizen in one State and not recognized as such in another. Previous to the adoption of the Constitution, every State migh confer the character of a citizen, and endow a man with all the rights pertaining to it. This was confined to the boundaries of a State, and gave him no rights beyond its limits. Nor have the assveral States surrendered this power by the adoption of the Constitution. Every State may confer the right upon an alien or on any other class or description of persons, who would, to all intents and purposes, be a citizen of the State, but not a citizen in the sense used in the Censtitution of the United States, and therefore, could not use in any court in the United States, and therefore, could not use in any court in the United States, and therefore, could not use in any court in the United States, and therefore, could not use in any court in the United States, and therefore, could not use in any court in the United States, and therefore, could not use in any court in the United States, and therefore, could not use in any court in the United States, and the other States. His rights would be confined strictly to his cwn State. The Constitution gives Congress the power to establish "a uniform rule of naturalization;" consequently, no State, by naturalizing an alien, could conter upon him the rights and immunities of all the States mider the General Governation;" consequently, no State, by notationing an alian, could conier upon him the rights and immunities of all the Sintes under the General Government. It is very clear, therefore that no State can, by any set, introduce a new member into the political Union created by the Constitution. The question then arises whether the provisions of the Constitution of the United States in relation to personal rights to which a citizen of a State is entitled, embraced resucces, of the African race, at that time in the coun-

stitution of the United States in relation to personal rights to which a citizen of a State is entitled, embraced negroes of the African race, at that time in the ocuntry, or afterwards imported, or made froe from any State; and whether it is in the power of any State to make such a one a chizen of the State, and endow him with full citizenship in any other States without their consent? Does the Constitution of the United States act upon him, and clothe him with all the rights of a citizen? The Court think the affirmative cannot be maintained: and, if not, the plaintiff could not be a citizen of Missuui within the meaning of the Constitution, ner a citizen of the United States, and, consequently, not entitled to sue in its Courts.

It is true that every person, and every class and description of persons at the time of the adoption of the Constitution, regarded as citizens of the weveral States, became citizens of this new political body, are none other. It was formed for them and their posterity, and for cobody che; and all the rights and immunities were intended to embrace only those of State communities, or those who became members according to the principles on which the constitution was adopted. It was a a union of those who were members of the political communities, whose power, for certain specified purpurperse, extended over the whole Territories of the United States, and gave each citizen rights outside his State which he did not before possess, and placed all tiolits of persons and property on an equality.

United States, and gave each citizen rights outside his State which he did not before possess, and placed all rights of persons and property on an equality.

It becomes necessary, therefore to determine who were citizens of the several States when the Constitution was adopted. In order to do this we must recur to the Colonies when they separated from Great Britain, formed new communities, and took their place among the family of nations. They who were recognized at citizens of the States declared their independence of Great Britain and defended it by force of arms. Another class of persons, who had been imported as slaves, or their decendants, were not recognized or intended to be included in that memorable matrument—the Declaration of Independence. It is difficult at this day to realize the state of public opinion respecting that unfortunate class, with the civilized and enlightened portion of the world, at the time of the Declaration of Independence and the adoption of the Constitution; but history shows they have for more than a century been regarded once and the adoption of the Constitution; but history shows they have for more than a century been regarded as beings of an inferior order, and unfit associates for the white race, ofther socially or policially, and had no rights which white men were bound to respect; and the black man might be reduced to Slavery, bought and rold, and freated as an ordinary article of merchandise. This opinion, at that time was fixed as duriversal with the civilized portion of the white race. It was regarded as an axiom in morals, which no one thought of disputing and every one habitually acted upon it, without as an axiom in morals, which no one thought of disputing, and every one habitually acted upon it, without doubting for a moment the correctness of the opinion. And in no nation was this opinion more fixed and generally acted upon than in England, the subjects of which Government not only send them on the Coast of Africa, but took them as ordinary merchandise, to where they could make a profit on them. The opinion thus extertained was universally impressed on the Colonies this side of the Atlantic, accordingly, negroes of the African race were regarded by them as property, and held, and hought, and sold, as such in every one of the thirteen Colonies which united in the Declaration of Independence, and afterward formed the Constitution. The doclare of which we have upoken was strikingly enforced by the Declaration of Independence. It begins thus: "When, in the course of human events," it becomes necessary for one people to dissolve "the political bonds which have connected them with "another, and to sessume among the powers of the earth tre political bonds which have connected them with another, and to some among the powers of the earth the exparste and equal station to which the laws of nature and of nature's God entitles them, a decent respect to the opinions of markind requires that they should declare the causes which impel than to the separation; and then proceeds: "We hold these "respect to the opinions of markind requires that they should declare the causes which impel them to the separation;" and then proceeds: "We hold these "truths to be self-evident—that all men are created equal; that they are enlowed by their Creator with "exitain inalienable rights; that among these are life, "liberty, and the purent of happiness. That to see ne "these rights, Governments are instituted among men, deriving their just powers from the consent of the "governed." Ac. The words before quoted would so in to embrace the whole human family; and if used in a sin list instrument at this day would be so understood. But it is too clear for dispute that the enslayes African race was not intended to be included, for, in that case, the distinguished men who framed the Declaration of Independence would be flagrantly against the principles which they asserted. They who framed the Declaration of Independence were men of too much henor, education and intelligence, to say what they did not believe and they knew mat in no part of the civilized world were the negtor cace, by common consent, admitted to the rights of fivenen. They spoke and acted according to the practices, doctrines and usages of the day. That unformants tace was supposed to be repaided from the whites, and was never thought or spoken of except as property. These opinious underwenting charge when the Constitution was adouted. separate from the white, and was never thought or speken of except as property. These opinious underwent to change when the Constitution was adopted. The prescribe was forth for what purpose and for whose built it was formed by the people-such as had been members of the original States—and the great object was to "secure one beasings of aborty "to consider and our posterior." It speaks an general terms of clinars and people of the United States when be regarded as citizens. But two clauses of the Consti-

to deliver up slaves escaping to their respective Terri-tosics. By the first clause the right to purchase and hold this property is directly sanctioned and authorized by the persons who framed the Constitution, for twenty years, and the States pieceged themselves to uphold the right of the master as long as the Government then formed should endure. And this shows conclusively that another description of personners conductively formed should endure. And this shows condusively that another description of persons were embraced in the other provisions of the Constitution. These two clauses were not intended to confer upon them or their pestellty the blessings of liberty so carefully conferred upon the whites. None of this class ever emigrated to the United States voluntarily. They were all articles of merchandise. The number emancipated was few as compared with those who were held in slavery, and to sufficiently rumerous to attract public attention as a separate class, and were regarded as a part of the slave population, nather than free.

It cannot be supposed that the States conferred citizership upon them; for all those States at that time established police regulations for the security of themselves and families, as well as of property. In some minor cases there were different modes of trial, and it could not be supposed that those States would have formed or concented to a Government which abolished this right and took from them the asseguands essential to their own protection. They have not the right to

formed or concented to a Government which abblished this right and took from them the asfeguards essential to their own protection. They have not the right to bear sims and appear at public meetings to discuss political questions or argue measures of reform which they might occur advisable. They cannot vote at elections, nor serve as jurors, rer appear as witnesses where whites are concerned. These rights are secured in every State to white men. It is impossible to believe that the men of the slaveholding States, who took so large a chare in the formation of the Constitution, could be so regardlers of themselves and the safety of those who trusted and confided in them.

Every law of naturalization confines citizenship to white persons. This is a marked separation from the blacks. Under the Confideration every State had a right to decide for itself, and the term "free inhabition," the generality of form, certainly excluded the African race. Laws were framed for the latter especially. Under the Constitution the word "citizen is substituted for "free inhabitant." After further elaboration on this point, the Unief Justice said, from the best consideration, we have come to the conclusion that the African race who came to this country.

the best consideration, we have come to the conclusion that the African race who came to this country, whether free or slave, were not intended to be included in the Constitution for the enjoyment of any personal rights or benefits; and the two provisions which point rights or benefits: and the two provisions which point to them treat them as property, and make it the duty of the Government to protect them as such. Hence, the Court is of opinion, from the facts stated in the plea in abstement, that Dred Scott is not a citizen of Missouri, and is not, therefore, entitled to sue in the United State Courts. The following facts appear on the

States Couris. The following facts appear on the record:

"In the year 1834, the plaintiff was a negre slave belonging to Dr. Emerson, who was a surgeon in the gram of the United States. In that year (1834) said Dr. Emerson took the plaintiff from the State of Missouri to the military post at Rock Island, in the State of Missouri to the military post at Rock Island, in the State of Missouri to the military post at Rock Island, in the State of Missouri to the military post at Rock Island, in the State of Missouri to the military post at Rock Island to the military post at Fort Snelling, situated on the west bank of the Mississipp River in the territory known as Upper Louisians, acquired by the United States from France, and situated to the of the Sate of Missouri. Said Dr. Emerson neid the plaintiff is abvery at said Fort Snelling until the year 1838.

Fort Snelling until the year 1838.
"In the year Island Harmet (who is named in the second court of the plaintiff is declaration) was the siave of Major Talisferro, who belonged to the among of the United States. In that year (1834) said Major Talisferro the said Harriet to said Fort Snelling and Island post attacted as hereinbefore stated, and kept her there as a slave until the year 1838, and then sold and letter the ras a slave until the year 1838.

"In the year 1836, the plantiff and said Harriet in Slavery at said Fort Snelling until the year 1839.

"In the year 1836, the plantiff and said Harriet, at axis Fort Snelling with the consent of said Dr. Emerson, who then elastined to be their master and owner, intermembed and took each other for husband and wife. Eiter and Linke, named in the third count of the plaintiff a declaration, are the fruit of that marriage. Eliza is about 19 years old, and was born on board the steamboat Gipsey, north of the north line of the State of Missouri, and upon the Mississippi River; Linzle is about even years old, and was born in the State of Missouri, and the said and the Eliza from said Fort Snelling to the State of Missouri,

esided.

Before the commencement of this suit, said Dr. Emerson and and conveyed the plaintiff, said Harriet, Elize and Lezzle of the defendant claimed to hold id and conveyed the plaintif, said Harriet, Eliza and Lizzie, the defendant as slaves, and the defendant claimed to hold not them as alayes.

At the times mentioned in the plaintiff's declaration, the feedant claiming to be owner as aforesaid, taid his bands upon it plaintiff, Harriet Eliza and Lizzie and imprisoned them; ing in this respect, however, no more than what he might lawly do if they were of right his slaves at such times.

The Chief-Justice proceeded to examine the state-ment, assuming that this part of the controversy pro-sented two questions.

Firstly: Was he (Scott) and all his family free in

Missouri; and Secondly: If not, were they free by reason of their remeval to Rock Island, Illinois.

The set of Congress on which the plaintiff relies contains the claure that Slavery and involuntary servitude, except for erime, shall be forever prohibited in that part of the Territory acquired by treaty from Louisiana, and not included within the limits of the Louisians, and not included within the limits of the State of Louisians. The difficulty which meets us at the threshold is, whether Congress is act to rised to pass such a law under the powers granted to it by the Constitution? The plaintiff dwells much on the clause which gives Congress power "to make all needfai "rules and regulations respecting the Territory or other "property of the United States!" But this provision has no bearing on the present controversy. The power there given is confined to the Territory which then belonged to the United States, and can have no influence of the controversy which was acquired from foreign Govern. lenged to the Chief States, and the hard in manufacture on Territory which was acquired from foreign Governments. The Justice then referred to the cessions of land by Virginia and other States, saying the only object was to put an end to existing controversies, and to enable Congress to dispose of the lands for the common benefit. Undoubtedly the

was then no Government in existence with enumerated powers. What were called the States were thirteen independent Colonies, which entered into confederation for mutual protection. It was little more than a Congress of Embassadors, in which all had a common concern. It was this Congress which accepted the cossion from Virginia. They had no right to do so under the articles of the Confederation, but they had a right, as independent powers to accept the land for the common benefit, and it is clear, having no superior to control them, they had a right to exercise absolute dominion, subject only to the restrictions which Virginia imposed. The ordinance of 1787 was adopted, by which the Territory should be governed, and among other provisions was one that Stavery or involuntary servitude should be prohibited, except for crime.

This was the state of things when the Constitution was formed. The territory ceded by Virginia belonged to the several confederate steps as common property. The States were about to dissolve the Confederation, and surrender a portion of their power for the formation of a new government, and the language used limited and specified the objects to be accomplished. It was obvious that some provision was now necessary to give the new government the power to carry into effect every object for which the territory was coded. It was necessary that the lands should be sold to pay the war debt, and that power should be given to protect the citizens who might emigrate, with their ingu's of property, aims, military stores, (as well see ships of war,) were the "common property to the States existing in their independent character," and they had a right to take their property to the States. The object was to place these things under the guardiarship of a new Government, which gives Congress the power "to make all needful rules and rogu guardiarship of a new Government, which gives Con-grees the power "to make all needful rules and regu gress the power "to make all needful rules and regulations respecting the territory or other property "of the United States." It applied only to property held in commen at the time, and not with reference to any property which the sovereignity might subsequently sequine. It applied to the territory then in existence and known as the territory of the United States—then in the minds of the framers of the Corstitution. It refers to the sale or rawing of money. This is different from the power to legislate over the territories. With the words "to make all needful rules and regulations—irrescring the territory," are coupled the words "and other property of the United States." And the concluding words render this construction irresistible. "And nothing in this Costitution shall be so construct "as to principle any claims of the United States or 6] "are provincing any construct."

are particular Stole. It is obvious that the Congress, under the new Gov

It is obvious that the Congress, under the new Government, regarded the above clause as necessary to carry into effect the principles and provisions of the Ordinance of 1787, which they regarded as an act of he States in the exercise of their political power at the time: and these representatives of the same States under the new Government did not think proper to departifiem any essential principle, and did not attempt to node anything that was done.

As to territory acquired without the limits of the United States, it remains territory until admitted into the Union. No power is given in the Censtitution to acquire territory to be held and governed in that character; and, consequently, there cannot be found in the Constitution any definition of power which Congress may lawfully exercise before it beto ness a State. The jower to acquire territory until it is in a condition to be came a State on an equal footing with the other States must necessarily rest on gound discretion, and it be must necessarily rest on sound discretion, and it becomes the duty of the Government to administer the laws of the United States for the protection of personal

Whatever terriory is acquired is for the common benefit of the people of the United States, which is but whatever territory whether the transfer which is but beenful of the people of the United states, which is but a trustee. At the time that territory was obtained from France it contained no population to be admitted from France it contained no population to be admitted from France it contained no population to be admitted from France and France in the first property of the propert tunen point to the negro race as separate, and not re-graded sections, for when the Constitution was adopt-ed. One came reserves the right to import slaves until 1808, and in the second the States cledge thems was one to another, to preserve the rights of the master, and

must be teld for their common and equal betefit; for it was the acquisition of the people of the United States, acting through their agents, and Government held it for the common becefit until it should become associated as a member of the Union. Unit that line strived it was undendtedly necessary that some government be established to protect the inhabitants in their persons and property. The power to acquire carries with it the power to preserve. The form of government accessfully tests on the discretion of Congress. It is their duty to establish the best spitted for the United States, and that not depend on the number of its inhabitants, and the character and situation of the Territory. What Government is the best must depend on the condition of the Territory at the time, to be continued until it shall become a State. But there can never be a mere discretionary power over persons and property. These shall become a State. But there can never be a mere discretic rary power over persons and property. These are plainly defined by the Constitution. The Constitution provides that 'Congress shall make no law respecting an establishment of religion, or probletting the free-dem of speech, or of the press; or the right of the 'perp'e peaceably to assemble, and to petition the Government for a redress of grievances. Ac. Thus the rights of property are united with the personal rights, and this satends to the Territories as well as to the States. Congress cannot authorize the Territories to do what it cannot do likelt, it cannot conteren the Territories power to violate the provisions of the Coretination.

the Constitution.

It reems, however, that there is supposed to be a difference between claves and other property. The people, in the formation of the Constitution, delegated to the General Government certain enumerated powers, and General Government certain channel and powers are forbade the exercise of others. It has no powers over perrons and property of citizens except those enumerated in the Constitution. If the Constitution recognizes the right of master and rlave, and makes no difference between those and other property, no tribunal today under the authority of the United States can be applied to the constitution and distinguished and days the newstains and ecting under the authority of the United States can claw such a distinction and deny the provisions and guarantees secured against the encroschment of the Government. As we have already said, the right of property in a slave is expressly conferred in the Constitution, and guaranteed to every State. This is in language two plain to be misunderstrod; and no words can be found in the Constitution giving Congress greater power over slaves than over any other description of property.

It is, therefore, the opinion of this Court that the Act It is, therefore, the opinion of this Court that the Act
of Congress which prohibits citinens from holding property of this character north of a certain line is not warranted by the Constitution, and is therefore void; and
neither Dred Scott nor any one of his family were made
free by their residence in Illinois. The plaintiff was noa citizen of Missouri, but was still a slave, and there,
ore had no right to sue in a Court of the United States. The National Intelligencer says:

Mr. Justice Nelson read an opinion, in which be did not enter into the constitutionality of the Missouri Compromise, but held, and on that ground affirmed

Compromise, but held, and on that ground affirmed the judgment of the Court below, that a slave carried into a Free State, whatever might be the laws of that State, remained a slave whenever returning to the State in which his owner resided.

"Mr. Justice Catron size delivered an opinion, in which the freedom of the North-West Territory was made to be the act of the State of Virginia, which was the original proprietor of the Territory, and which alone, and not Congress, had the right to prohibit Slavery there. He expressed himself in vory decided terms against the constitutionality of the Missouri Compresse."

A HUSBAND TO BE RAFFLED FOR.

Mr. Perham has solved the problem of the age; the Union is safe. Everybody knows that since the ex pansion of crinoline and the requirement of thirty of city yards of silk for a dress, marriages have become lamentably unfrequent. Only the rich can afford the luxury of a wife; the plodding clerk with his seven or ten or fifteen bundred dollars a year must be content to look from afar upon the promised land. Young ladies who thought a year ago that "he" would propose in a week or two at most, have been astonished at "his confounded patience," and could not for the life of them see why he kept them waiting so long. Mamma, tee, thought it very scrange, forgetting in her anxiety to make a good market for her daughters, that she had accustomed them to an extravagance to whose sirer attractions Ulysses is prudently blind, and none but the reckless and the designing yield. Meantime the "young ladies" are attaining a certain age, and there are wrinkles in their hearts. "He" may not be forgetten, but Old Gomes, heavy with port, takes a fancy, like David, to have a damrel to lie in his beecm, and gets his choice of the lot; the rest shrivel, body and soul.

This lamestable state of affairs has at last attracted the attention of the patriotic Brigge and the philanthropc Perham. Briggs, when he retired from the control the city by the periodical eruptions of his bottomless wit and wisdem in the Board of Aldermen, returned, like a second Ciscinnatus, to his cart. He had not been long engaged in his humble but honest calling be fore the far-neeing mind of the patriot was directed to the melancholy state of society which we have noticed above. Since the irsanity of Branch has been decided upon by the world, Briggs, whose wide-stretching sympathies are always with the people, (and who had made a small loan to Branch on the occasion of his power of sovereignty and eminent domain was ceded in the act. This was preper to make it essential. There was then no Government in existence with enumerated that friend is Perham. We need not describe has been a household word. The Seven-Mile Mirror will go down in history with the Seven-League Boots. Unnumbered gift prints, gift penelis, gift penknives and gift pens scattered broadcast through the country attest his unbounded generosity. It is said even that there have been gift farms. Briggs swears that it is so, but our faith refuses as yet to gulp such disinterested benevolence. With downcast head and ruminating step Briggs found his way to the Chinese Buildings. Briggs found Perham: the friends shook bands and took a glass of sherry. Briggs stated his fears. "Where," asked the anxious lover of his coun try's honor, "where are the men coming from who are to win our future Lexingtons and Bunker Hills? We must have more marriages, or the stars and stripss will be tred into the dirt of the Saratogas and the York towns that are to adorn the illustrated page of our 'coming history!' Perham was moved. The friend, mingled their tears, and went to the St. Nicholas and took a glass of sherry. The hopes of Briggs were elevated; the genius of Perham was set on tip toe Hence the Gift Lady; hence the Gift Gentleman.

No longer will the plodding clerk be obliged by sheer necessity to postpone indefinitely the happy day. For the very moderate sum of \$1 he gets an undivided three hundred thousandth part of a "lady," whose weight and dress, we believe, we have before stateda lady who can sing marvelously, play ravishingly, who has \$25,000, and no stage-fright. For the same very moderate sum, despair is driven from the breast of th spinster to the same three-hundred-thousandth degree, by the appearance upon Perham's stage of a young man, who would be called handsome in certain quar-ters not very far west of Broadway, and who is said to be possessed in his own right of \$100,060. Perham, with that modesty which only those who know him can appreciate, has put it at only \$50 000 in the bills.

On Saturday this marriageable young man was pre-seted for the first time to a New-York audience. That audience was small, but its paurity only indicated the nterest with which this movement is regarded by the New-York fair; they do not wish to appear to be inter-

Briggs-Briggs the immortal, Briggs the terror of alien thieves of citizenship, Briggs the loved of Amercan humanity, Briggs who has a truly American aspiration to repair the damage which Fernando Wood as done, Briggs the blur-coated, Briggs the brasebuttoned-Briggs led him on. Assembled Americans applanded. Assembled Americans were silent that Briggs might speak. He thus began:

"LADIES AND GENTLEMEN: As I had the pleasure part of the Countries for me to introduce the Gift Gentlemen, and by your consent I will now introduce him. I now have the pleasure and felicity of introducing the Gift Gentleman, who is a young man of underlying the Gift Gentleman, who is a young man of underlying the Gift Gentleman. cubied character" [Great applause]. Briggs howed: so did the Gat Gentleman. "He is

affable," whispered a cross-eyed young lady on our right to the pug-nose by her side. Briggs retired; so did the Gift Gertleman. "He is retiring," said Cross
Efte, in a tone of timid enthusiasm. "Nothing like
medesty in a man, "added Peg. "What a magnifisent mustache!" said C. "I'm glad to hear he's gota good kerricter-morals is skace now-a-lays," rejoined the lady with the pag uoner. Our pen poul

chronicle to men of this dialogue, the Gift Gentleman

was called on, and the be spike:
"Ladies and Gentiems." It is not pleasant to any anything under such circumstance but if it is entirely egreeable to both parties there may be a marriage as the Crystal Palace [eight]. Sill, as it is possible that these may not be, perhaps it will be better to say to more at this time.

The Gift Gentleman retired again. More bows. More applause. We were about to resume the femin te diakgue when a contal mongering man near by told as that the Gift Gentleman was only the man that took the tickets at the door; of course, we did not beleve that; wou'd Perham deceive anybody!

That was all-except that the eagle eye of Briggs directvered us and introduced us to the Gift Gentleman, who has a remantically mahogany countenance, black mustache and imperial, and as the cross eyed girl said we were so busy writing Briggs's speech at the time that we couldn't take it down then) a "distangy" appearance. Briggs also istroduced us to the great Perham bimself, and we had the "pleasure and felicity" of shaking bands with that distinguished philanthro put and of being invited to a glass of sherry. It was en occasion to be remembered and to be told-to no the classic and appropriate language of Mr. Buchasas Briggs, who was in a particularly genial and mellow mood, descanted upon the virtues of Mr. Perham; he repeated with a particularly mellow persistency the sorerous phrase, "I tell you Perham's all right." He dilated upon the power of the press, insisted that our humble reporter was the "chief man" in THE TRIB-UNY, and on parting recommended him to the care of all the American saints, and gave him Perham's card.

If there is snything in the city which is more remarkable then Perham bimself, it is Perham's card. It is a striking proof at once of his genius, his eccentricity and his munificence. It cost something to ergrave Perham's card: it is six inches long. And yet we look in vain for l'erham's name. There are three more er less beautiful ladies on it more or less in dishebile. Is Perham a Mormon ! Humanity and Brigge forbid! Then the number "five" seems to be a great favorite of Perham's; the card is half covered with fives-Roman, numeral and vernacular. It is a mystery we have pendered over in vain. We repudate the heart'ess suggestion, which was made to us by an unfeeling wretch, that it is a five collar back bill; the coul of Perham is incapable of the insult. The mystery still remains, and we shall be obliged to regard it as one of the wonders of this wonderful world why Petham, the friend of humanity and the genies of marriage, should put on his card, not his own name, but "Bergen County Back." The card has been returned.

FIRE IN MARION STREET.

At 19] o'clock Saturday night a fire occurred in the iwelling house No. 23 Marion street, but it was put out with a pail of water. The fire was occasioned by a window curtain coming in contact with a candle. FIRE IN WEST TWENTY-FIRST STREET.

At 101 o'clock Saturday morning a fire broke out in the record story of the house of Mr. Samuel Roosevelt, No. 87 West Twenty-first street, in consequence of the upsetting of a fluid lamp. But little damage was done. FIRE IN FIGHTH-AVENCE-DARING INCENDIARISM.

About 31 o'clock vesterday morning Officer Rina of the Sixteenth Ward, while patrolling his beat discovered a fire in the lager beer saloen No. 228 Eighth-avenue, owned and occupied by Mr. Pogalsang. With the assistance of some citizens who chanced to be near at hand he seen extinguished the flames. An examination of the premises resulted in finding the floor near the door and the door casings saturated with cam phere. Appearance it diented that it had been injected by some person from the street and thes ignited. The occupants of the house at the time the officer discovered the fire were all asleep and ignorant of their danger, and but for his timely aid many lives would, doubtless, have been lost.

About 84 o'clock Saturday night a fire was discovered in the brick stable No. 204 Elizabeth street, and soon extinguished by the firemen.

The same stable was found on fire last Thursday, and was then extinguished before much damage oc-cuited. Both of these fires were, undoubtedly, the work of an incendiary. There were three horses in the stable owned by Joseph Hare and Wm. Murray; they were rereued unirjured. Loss by fire and water, \$25. No insurance.

The Clinton Hotel, corner of Broadway and Bighth street, caught fire on Saturday morning about 41 o'clock. from some defect in the chimney flue in the kitchen. The fire most have been burning some hours, but owing to its confined state it was not discovered earlier. The smoke throughout the whole house was as thick as a heavy fog. Those occupying rooms in the upper staries breathed anything but a healthy atmosphere. The damage by the fire was but trifling. Cons damage was done by water.

Shortly after 10 o'clock last night a fire broke out is a stable in Elizabeth street, near Prince street. It was extinguished before much damage was done. This is the same stable which is elsowhere reported as having been on fire twice on consecutive evenings previous to this.

THE RAT POISONING AFFAIR-DEATH OF ONE OF THE VICTIMS,-The editor of The Cleveland Plaislealer writing from Washington, on the 1st inst , says:

dealer writing from Washington, on the 1st inst, says:

"The great wholesale poisoning case excites much interest here. The National, the largest Hotel in the city, being overron with rate, the proprietors undertock a general slaughter by poisoning them with strychnine. They took the poison and then took to the nearest water which was in the cistern tanks and wells about the house where they tumbled in and died of course. The water being concealed and raised by pumps did not expose the condition of things till by its deily use some hundred or more of the boarders were suddenly taken sick, doctors were called, and a health chiece sent for who were not long in discerning the cause. On removing the covering to the big cisern it presented the most sickening sight ever seen. It was literally packed with the dead bodies of poisoned rate.

was literally packed with the rate.

Mr. Lenox, from our State, was a guest at the house at the time, was taken sick, started for home and died at the time, was taken sick, started for home and died at the time, was taken sick. Mr. Buat the tine, was taken sick, started for home and died on the way. No other deaths have been heard of, but many of the boarders are still very sick. Mr. Bu-chanan was also stepping at the home and has notyet fully recovered from its effects. The tanks have been theroughly cleansed."

DREADFUL CATASTROFHE.—About 8 o'clock last night a fire broke out in Washington Asylum (alms and weakhouse, a rivated near the Congressional burying-ground, and had gained such becaway before discovered that, in the absence of a supply of water, no check could be made to its progress, and is a short space of time nothing was left of the building but the bare walls. The fire originated in the north west wing of the building, from the flue of the furnace which supplies heat to the workhouse department. The painful rumor sitest in regard to the loss of life, we are happy to say, is greatly eraggerated. The scene presented on a visit to the rains was sufficiently ghastly. On a shotter in the yard was deposited the charrest remains of a colored woman named Eliza Baltimore. She was a psuper of unsound mind and it is stated was seen rescued from the flames, but lost her life in returning o secure as me brase finger-rings and similar articles of a peuper of unsound mind and it is stated was operrescued from the flames, but lost her life in returning
o secure some brass finger-rings and similar articles of
perional adornment. The other inmates of the house
were, it appears, completely bewildered and required
to be forced from the burning building. No person,
however, is missing from the list of inmates save the
colored person. There were in the house at the time
of the fire 74 paupers, 401n the workhouse and 10 persons in the tamily of the Intendant. Had the fire occurred in the middle of the night, after the people were
in bed, the loes of life must have been frightful. A
group of paupers, rome of them in bare feet, were
worming themselves by a fire of sticks in the yers;
another group was haddled together in an outhouse;
the remainder have been distributed in the neighborthe remainder have been distributed in the neighborbood, at the Garrison and at private houses, until they
been to therwise provided for. The Marines from the
Garrison, the Hook and Ladder Company, and therea
idents of that part of the city universally, content
of the fire.

Provents of the Day.—At a

THE THERE RULING POWERS OF THE Dat.—At a late public meeting, the following "dry" tous one given. The author will get "buttored" when he is cobes home:

"The Press, the Public and Petition for The Street Balling Powers of the day. The first aprends havenedigs, the second pourse, and the last spreads oppositely.